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AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
District of Oregon

United States of America )

v. )

John Martin Roos, DOB: 7/4/54 )

Case No. <sup>16</sup>~~15~~-MS-00053-CL\_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/15/15 - 3/26/16 in the county of Jackson in the  
\_\_\_\_\_  
District of Oregon, the defendant(s) violated:*Code Section*  
Title 18, USC, Section 875(c)*Offense Description*  
Communication of a Threat in Interstate CommerceCertified to be a true and correct  
copy of original filed in this District.  
Dated \_\_\_\_\_  
Mary L. Moran, \_\_\_\_\_  
US District Court for the District of Oregon  
By Deputy Clerk \_\_\_\_\_  
Pages \_\_\_\_\_

This criminal complaint is based on these facts:

See attached affidavit of Special Agent Jeffrey M. Gray incorporated herein by this reference

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 4/29/16City and state: Medford, Oregon\_\_\_\_\_  
*Complainant's signature*JEFFREY M. GRAY - Special Agent, FBI  
*Printed name and title*\_\_\_\_\_  
*Judge's signature*MARK D. CLARKE, United States Magistrate Judge  
*Printed name and title*

STATE OF OREGON                 )  
  )         AFFIDAVIT OF JEFFREY M. GRAY  
County of Jackson                )

**Affidavit in Support of a Criminal Complaint and Arrest Warrant**

I, Jeffrey M. Gray, being duly sworn, do hereby depose and state as follows:

**I. Introduction and Agent Background**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since April 21, 1991. I am currently assigned to the Medford Resident Agency (RA) of the FBI and my responsibilities include conducting investigations concerning the use of interstate communication facilities to transmit threats and threats to injure federal agents. During the past twenty-five years, my training and experience includes attending training at the FBI Academy at Quantico, Virginia, conducting numerous criminal investigations, executing numerous search warrants, conducting numerous interviews and interrogations of subjects, witnesses and confidential sources, and conducting other investigations concerning threats.

2. I submit this affidavit in support of a criminal complaint and arrest warrant charging John Martin Roos, male, date of birth XX/XX/54 with making threats against the President of the United States. As set forth below, I have probable cause to believe and I do believe that John Martin Roos transmitted in interstate commerce communications containing a threat to injure the person of another in violation of Title 18, United States Code (USC), Section 875(c).

3. This affidavit is intended to show only that there is sufficient probable cause for the requested criminal complaint and arrest warrant and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including

other law enforcement officers, interviews of witnesses, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

## **II. Applicable Law**

4. Title 18, USC, Section 875(c) provides that it is unlawful to transmit in interstate or foreign commerce any communication containing any threat to injure the person of another, specifically, the President of the United States.

## **III. Statement of Probable Cause**

5. On or about February 13, 2016, a concerned citizen forwarded screenshots of Facebook postings and Twitter postings containing threats to assassinate Barack Obama, the President of the United States (POTUS) as well as threats to shoot FBI agents. The Facebook postings were made by an entity using the moniker "John Roos." The Twitter postings were made by Twitter user "John Roos@indnjohnpatriot." Examples of the threats provided by the concerned citizen are as follows:

a.) On January 31, 2016, a Facebook posting was made by John Roos. The posting stated, "FBI acts like they are something to be feared after ambushing American patriots in Oregon, they are pussies. We will snipe them with hunting rifles everywhere."

b.) Another Facebook posting made by John Roos on November 18, 2015, stated, "America doesn't want children and women refugees. Obama you goat fffing fudgepacker, the refugees are men of fighting age. Black lives matter! Sure we need someone to pick cotton and wash cars. Paris, burn diseased muslim neighborhoods to the ground and start over with human beings. Obama you are on a hit list. Lets see how long FB blocks me again (sic)."

c.) Twitter user "John Roos@indjohnpatriot" posted the following comments to twitter:

"...An assassins bullet would stop all traitorous Obama bullshit, shoot him now."

"FBI murderers, I am not Lavoy. I see a FBI vest or badge I start shooting and cazil it self defense, Come get this old man. Ur pussies (sic)."

"Enough Patriots murdered by the Obama admin. Enough Patriots and I am going to assassinate Obama...(sic)"

"...FBI and all vermin they all will be shot in the face."

6. An inquiry of the Internet data base Accurant regarding John Roos in Oregon resulted in locating a John Martin Roos, date of birth XX/XX/54, social security number XXX-XX-9003.

7. According to Oregon Department of Motor Vehicle records, John Martin Roos, date of birth XX/XX/54, listed an address of 1497 Poplar Drive, Apartment 7, Medford, Oregon on his Oregon driver's license. The license was issued on February 14, 2014.

8. Based on the above, the matter was referred to the Portland Division of the FBI and to the Medford RA. Further, because the threats also targeted the President of the United States, the US Secret Service (USSS), Portland, Oregon, was notified of the social media postings.

9. Staff Operations Specialist (SOS), Joseph Peeples. Eugene RA, was instructed to conduct logical base searches to include the Internet and open source searches relative to John Roos. SOS Peeples' research resulted in locating information which indicated Roos may be a veteran of the military. Veterans of the US Military who reside in Medford, Oregon often times

will receive services from the Veteran's Affairs Southern Oregon Rehabilitation Center and Clinics (SORCC) in White City, Oregon. On April 15, 2016, I spoke with VA SORCC Police Department Detective David Pettersen. Detective Pettersen made an inquiry of the VA SORCC Biographic Data base and determined that John Roos is a VA SORCC patient with a listed cellular telephone number of (541) 301-1301. Further, according to CLEAR, an Internet based search engine, cellular telephone number (541) 301-1301 is a cellular telephone number serviced by Sprint Spectrum and is associated with John Roos.

10. On March 25, 2016, FBI SA Miles Wilttrout and I made contact with Roos at the VA SORCC. I discussed social media postings made by an entity believed to be John Roos. Roos acknowledged he was the person responsible for the postings that threatened President Obama and FBI agents. Roos said the catalyst for the threats he made against FBI agents was the incident in which Lavoy Finicum was shot and killed near Burns, Oregon. Roos described his social media postings as a means by which he "blows off steam." Roos advised that he did not intend to harm anyone but then added that given the chance he would "punch Obama in the nose" because Obama "pisses" him off. Roos said that Facebook has blocked his access in the past for his postings. Roos said he is usually active on Facebook for four days before Facebook blocks his access for a period of thirty days. His access to Facebook at the time of the interview was blocked. I started to read aloud some of the postings to Roos. In response, Roos said he had nothing more to say and that he wished to leave. The interview was discontinued and Roos departed. As SA Wilttrout and I walked in the parking lot towards my vehicle, we encountered Roos whose vehicle was parked nearby. As we continued to walk to our respective vehicles, I asked Roos if he were Native American. He replied in the affirmative.



11. On March 30, 2016, USSS Special Agents Carl P. Klein and SA David Hardin made contact with Roos at Roos' residence, 1497 Poplar Drive, Apartment 7, Medford, Oregon. Roos came to the door of the apartment and then stepped out onto the balcony. SA Klein noted that Roos had an empty black paddle style firearm holster on his right hip. SAs Klein and Hardin identified themselves to which Roos responded that he had already talked to the FBI. SA Hardin advised Roos that the USSS was interested in speaking to Roos in an effort to determine if Roos posed a threat to any USSS protectees. Roos replied that he didn't want to go to jail and that he would answer what he could, but that he already answered questions for the FBI. Roos advised that he made the comments online and that he "can't help the way I feel" but then he stated that he doesn't have the physical ability to carry through on his statements. Roos acknowledged that he owned a .45 caliber Glock pistol and a scoped rifle which he maintains in the apartment. Shortly thereafter, the interview was discontinued at Roos' request.

12. On April 14, 2016, I spoke with USSS SA Klein. SA Klein recalled that while he stood on the balcony outside of Roos' apartment SA Klein could see into the apartment through a large window to the left of door. SA Klein recalled being able to see an area adjacent to the kitchen which appeared to be utilized for dining. Atop a table in the dining area SA Klein saw a computer. SA Klein could not further describe the computer but he was sure he saw some kind of computer on the table.

13. SOS Peeples provided to me the information he gathered from his research. The results included screenshots Peeples located on the public twitter feed of "@indjohnpatriot" with a date range of December 4, 2015 to March 27, 2016. SOS Peeples also provided postings of Facebook entity John Roos\_FB32816 with a date range of December 25, 2015 to March 11, 2016.

SA Gray reviewed the information provided by SOS Peeples. Below is a sampling of the postings:

On December 19, 2015, Roos posted on Twitter, "Kill all muslim fucks start with Obama, his children first."

On December 21, 2015, Roos posed on Twitter, "Now a muslim animal kills people in Vegas. America I call on All Patriots to get retribution on muslims. Bomb Mosques and kill muslims now."

On January 10, 2016, included in a string of apparently related tweets, Roos posted, "This is a PIG it is time he met my .338 win mag and I blow his face off." The tweets before and after the aforementioned posting refer to President Obama. According to the Internet website "Acronymfinder.com" one of the listings for the acronym PIG is "Professionally Instructed Gunman."

On February 24, 2016, Roos posted on Twitter, "No mistake Michele Obama is a gorilla face and Barak is a pussy monkey. Both don't deserve to live so lets kill them."

Also on February 24, 2016, Roos posted on Twitter, "FBI are murdering pussies. Come kill this old man, If I see a FBI vest I start shooting and call it self defense, AK-47 with armor piercing"

On March 10, 2016, Roos posted on Facebook, "Obama is nothing less than a vile muslim trash. He is not worthy to be in Nancy Reagan's presence even death. This asshole is barely worth the cost of the bullet to blow his eaff (sic)."

Also on March 10, 2016, Roos posted on Facebook, "The establishment is trying to steal the election from Trump. A warning to you liberal vaginas, Patriots are more than tired of your shit. If you want to see a revolution in this country keep your shit up. Obama is already on a

kill list as is Lynch. Your nome can be there too (sic)."

On March 11, 2016, Roos posted on Facebook, "Interesting since I have slammed muslims, Obama, Zuckerberg, again my computer won't show post supporting Trump, or anything against Muslim animals. Coincidence you tell me."

On March 25, 2016, Roos posted on Twitter, "You don't teach these animals you kill the little fucks and let the bodies rot on the streets. Obama I will kill you and gorilla face."

On March 26, 2016, Roos posted on Twitter, "The FBI cowards, visited me at the VA appt. I said I would kill Obama and FBI Pussies, would come at me at home like the pussies they are."

Also on March 26, 2016, Roos posted on Twitter, "How much of this has to happen before the World wakes up and kills muslim animals, everywhere. I'll start by Killing Obama Fuck you FBI"

14. On April 19, 2016, U.S. Magistrate Judge Mark D. Clarke signed a search warrant authorizing a search of 1497 Poplar Drive, Apartment 7, Medford, Oregon. On April 20, 2016, Judge Clarke signed a search warrant authorizing the search of the person of John Martin Roos. Both search warrants sought evidence to include firearms, ammunition, and digital evidence to include computers and cellular telephones.

15. On April 28, 2016, at approximately 12:15 pm, contact was made with Timothy Huddleston who was the sole occupant of 1497 Poplar Drive, Apartment 7, Medford, Oregon. The contents of the aforementioned search warrant were read to Huddleston and thereafter a search of the apartment was conducted. Mounted on the interior wall directly adjacent to the front door was an AK-47 like firearm. Inserted in the weapon was a dual "banana clip." An examination of the



weapon determined that a round was not chambered in the weapon. A rifle and shotgun were located in a bedroom which Huddleston identified as belonging to Roos. Each firearm was loaded but neither weapon had a round chambered. Hundreds of rounds of ammunition were located in the same bedroom. A .45 caliber Glock semi-automatic pistol was located concealed in the cushions of a couch in the living room of the apartment. The Glock had a round in the chamber and approximately 12 rounds in the magazine. As the search progressed, a white bucket was located in the living room next to Roos' computer work station. Plainly visible in the bucket was what appeared to be an explosive device commonly referred to as a pipe bomb. Search efforts were immediately halted and the area was vacated for safety. An Oregon State Police (OSP) bomb technician responded to the scene. The OSP bomb technician subsequently located four pipe bombs in the bucket. At least one of the pipe bombs had steel ball bearings taped to the exterior of the device. The OSP bomb technician removed the devices from the apartment and secured them.

16. Contemporaneously with the above investigative efforts, Medford Police Department (MPD) Task Force Agent (TFA) Colin Fagan and I responded to the a VA SORCC in White City after having determined that Roos was at the facility. Upon arrival, TFA Fagan and I located Roos' white Chevrolet S-10 truck parked in one of the lots. We parked adjacent to the vehicle and waited for Roos to return. A short time later, Roos arrived at the vehicle. I identified myself and TFA Fagan. I explained to Roos that a search warrant had been issued authorizing me to search his person for firearms, ammunition and digital evidence. Roos was cooperative. He asked if he was going to be arrested. At that time, I was aware that the search was underway at the apartment but I hadn't been notified that pipe bombs had been discovered. In response to Roos'

question about being arrested I told him that he wasn't going to be arrested and that we intended to search Roos and then he would be free to leave. Shortly thereafter, I was notified by SA Adam Bennett that he found what looked like a pipe bomb and that a bomb technician was en route to the location. In light of the immediate risk to public safety, I asked Roos about the pipe bombs. Roos said that investigators would find three or four pipe bombs in a bucket in the apartment. He said the devices contained black powder and were detonated by a fuse. He denied that there were any blasting caps in the apartment. Roos made additional comments about the devices. Roos also acknowledged that there was a firearm in the truck (writer's note: firearms are prohibited at federal facilities such as the VA SORCC).

17. I prepared a "Consent to Search" form intending to search the truck. I presented the form to Roos and explained that he did not have to consent to the search. Roos asked what would happen if he refused to consent and then answered himself by saying that I would proceed to get a search warrant. I told him that he was correct inasmuch as if he refused I would apply for a search warrant for the truck. Thereafter, Roos commented that he believed it to be in his best interest – in light of the developments – to continue to cooperate. Roos signed the form.

18. A search of the truck located a loaded (magazine and a round in the chamber) Kimber .45 caliber semi automatic pistol. The pistol was located underneath the floor mat on the driver's side.

19. I contacted AUSA William Fitzgerald and provided him the above information. AUSA Fitzgerald opined that there was sufficient probable cause to arrest Roos on a charge of threatening the President of the United States. At approximately 1:20 pm, Roos was advised that he was under arrest. Roos fully complied and thereafter was restrained with handcuffs. Roos was

subsequently transported to the Jackson County Jail, Medford, Oregon and lodged.

**VI. Conclusion**

Based on the foregoing, I have probable cause to believe, and I do believe, that John Martin Roos, male, date of birth XX/XX/54. committed acts in violation of Title 18, United States Code (USC), Section 875(c) pertaining to threats in interstate commerce to injure the person of another, specifically, the President.

Prior to being submitted to the Court, this affidavit, the accompanying criminal complaint and arrest warrant were all reviewed by Assistant United States Attorney (AUSA) William Fitzgerald who advised me that in his opinion the affidavit and criminal complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested warrant.



JEFFREY M. GRAY  
Special Agent - FBI

Subscribed and sworn to before me this 29 day of April 2016.



MARK D. CLARKE  
United States Magistrate Judge